

MELINDA HAAG (CABN 132612)
United States Attorney

J. DOUGLAS WILSON (DCBN 412811)
Chief, Criminal Division

KATHRYN HAUN (DCBN 484131)
WILLIAM FRENTZEN (LABN 24421)
Assistant United States Attorneys

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7200
FAX: (415) 436-7234
Kathryn.haun@usdoj.gov

Attorneys for United States

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. 13-CR-93 JST
)	
)	STIPULATION AND PROPOSED ORDER
)	REGARDING RULE 15 DEPOSITION OF G.M.
v.)	
)	
JONATHAN MOTA,)	
)	
Defendant.)	

The parties stipulate and agree as follows:

1. Previously the Court ordered, pursuant to the parties' stipulation, a Rule 15 deposition to occur on October 29, 2014 for witness G.M. For reasons concerning the witness's health, the deposition was unable to take place as planned in San Francisco and the defense was told as soon as the government learned of the inability to proceed forward. It was agreed to that the parties would work to find another date for the deposition, to occur in Lake County (given the witness's health).

2. The government and defense reallege the prior statements in their earlier stipulation, to wit:

a. G.M. is a witness who the government anticipates will testify regarding the events of

1 the January 18, 2013, alleged in the Indictment.

2 b. G.M. resides in Lake County in the Northern District of California. She is not able to
3 travel to San Francisco to testify at the trial, scheduled to begin at the earliest on April
4 13, 2015, for medical reasons set forth more fully in the Declaration of Special Agent
5 Megan Long that was filed with the original Stipulation.

6 3. The parties agree that a deposition of G.M. is appropriate pursuant to Fed. R. Crim. P. 15(a).
7 Unlike last time, however, the parties do not propose that the deposition occur here at the federal
8 building in San Francisco given the state of the witness's health. The United States will make
9 arrangements for G.M.'s deposition to be taken at a secure facility in Lake County, California, in
10 consultation with the U.S. Marshal's. The parties, in consultation with the U.S. Marshal's and the
11 witness, have agreed on December 4, 2014. The U.S. Marshal's will retain custody of the defendant and
12 transport him to the secure location upon receiving that information from the government. The
13 government shall provide the secure location information to stand by counsel so that he may also attend.
14 Giglio/Brady/Jencks material pertaining to this witness has already been provided to defense counsel.

15 4. The defendant and standby counsel may be present at the deposition and will have an
16 opportunity to cross-examine the witness. Further, the deposition will be video-taped and transcribed
17 and the government shall make those arrangements.

18 5. The parties agree that G.M.'s deposition testimony may be offered in evidence pursuant
19 to Rule 15 and that admissibility of particular answers will be subject to the Federal Rules of Evidence,
20 as provided by Rule 15(f). The parties further agree that all substantive objections will be preserved and
21 need not be asserted during the deposition; all objections as to form of question must be asserted during
22 the deposition or will be waived.

23
24 DATED: November 24, 2014

Respectfully submitted,

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26 MELINDA HAAG
27 United States Attorney

28 /s/

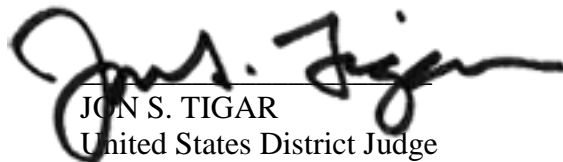
KATHRYN HAUN
WILLIAM FRENTZEN
Assistant United States Attorneys

/s/
RICHARD MAZER, Esq.
Standby Counsel for Pro Se Defendant

PROPOSED ORDER

Pursuant to stipulation, IT IS SO ORDERED.

DATED: November 25, 2014



JON S. TIGAR
United States District Judge